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Summary record of the 25th meeting
Held at Headquarters, New York, on Tuesday, 27 October 1998, at 10 a.m.

Chairman: Mr. Ball (Vice-Chairman) ..... (New Zealand)

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In the absence of Mr. Hachani (Tunisia), Mr. Ball (New Zealand), Vice-Chairman, took the Chair.

The meeting was called to order at 10.15 a.m.

Agenda item 108: Elimination of racism and racial discrimination (*continued*) (A/53/18, 255, 256, 269, 305 and 489)

Agenda item 109: Right of peoples to self-determination (*continued*) (A/53/131-S/1998/435, A/53/205-S/1998/711, A/53/280 and 338)

1. **Ms. Fritsche** (Liechtenstein), confirming her remarks to item 109, said that Liechtenstein fully agreed that decolonization, which was based on the realization of the right of peoples to self-determination, was an achievement of utmost importance. The international community should continue to explore the benefits of that right, and the contribution it could make to the maintenance of international peace and security. The exercise of that right was a process requiring continuing implementation, through genuine periodic elections or other appropriate means for the expression of the will of the people concerned.

2. The exercise of that right was not automatically to be equated with the attainment of independence or statehood. There was still a lack of awareness of that principle which rendered the discussions on self-determination unnecessarily controversial and politicized. Self-determination was a prerequisite for the implementation of all human rights, as enshrined in the International Covenants on Human Rights and other United Nations human rights instruments based on the provisions of those Covenants. The realization of the right to self-determination therefore had an immediate bearing on the cause of human rights.

3. Her Government welcomed the increased emphasis which the United Nations had recently placed on prevention, which it believed was a crucial concept for the future.

4. Conflicts within States now constituted the majority of armed conflicts, and that fact posed serious challenges to the United Nations. A more forward-looking and flexible approach to the right to self-determination was essential, and Liechtenstein's proposals were aimed at promoting dialogue among communities or between communities and the Governments of those States. Such dialogue would be based on the recognition that communities had a right to self-determination and that varying degrees of self-administration, exercised in accordance with the principle of territorial integrity, should enable such communities to exercise that right.

5. The Liechtenstein Research Program on Self-Determination at Princeton University had pursued a wide range of activities, including a recent international conference on democratization and decentralization in India. Her Government intended to develop its ideas and pursue its initiative and dialogue with interested delegations.

6. **Ms. Gil** (Israel) said the twentieth century bore chilling testimony to the danger of unchecked racism and to the importance of tolerance and respect for others. As victims of the genocidal consequences of hatred, Israel needed no reminder of the need to quash racism in its early stages. It felt a special responsibility for promoting tolerance and respect; therefore, in the spirit of the joint working paper on article 7 of the International Convention on the Elimination of All Forms of Racial Discrimination, referred to in document A/53/305, paragraph 11, Israel had implemented a programme on human rights education targeting all segments of Israeli society. That nationwide campaign would bring together the work of government and private groups, educators, community leaders and non-governmental organizations.

7. Israel was a microcosm in which nearly every ethnic group, language, continent and culture were represented. Her Government was making every effort to preserve immigrant cultural identity and promote understanding of individual cultures. International experience had shown that persuasion and education were not enough to curb manifestations of anti-Semitism, racism and xenophobia: vigorously enforced legal provisions had a proven and direct impact on the spread of racism. Therefore, the Israeli Parliament had taken several steps to enact and amend legislation to prevent incitement to racism. The Knesset had also amended a basic law so as to ban political parties from running for office on a racist platform. Similarly, the Supreme Court had facilitated the placement of restraints on racist political campaigns. It was hoped that those safeguards would become obsolete as a new generation was educated to build a brighter society for the next millennium.

8. **Ms. El Kabbaj** (Morocco) said that racism, xenophobia and intolerance had resurfaced, posing a challenge to the international community. There was mounting concern about various forms of racism which bred hostility between racist and ethnic groups and about the resurgence of nationalism. In addition to the traditional forms of racism, there had been a dramatic increase in animosity, religious and ethnic intolerance, and ideology based on racial superiority. The situation was aggravated by the wrongful use of the mass media and new communications technology to incite racially motivated violence.

9. Those new forms of racism touched on the founding principles and values of the United Nations, and required concerted action to respond to the appeals of victims of racial hatred, discrimination and genocide. The international instruments for the elimination of racism could not attain their noble objectives, without the firm will of the international community, which needed to demonstrate courage, understanding and solidarity to prevent irreparable damage.

10. Morocco believed that the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination represented the appropriate setting for translating the principles approved by States into firm action. Moreover, States played a decisive role since their strategies could be strengthened through punitive legislative measures, public awareness, education, and information at the national level, instilling into future generations the desirability of a social order based on equality and respect for the rights and dignity of others. The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to be held not later than 2001 in accordance with General Assembly resolution 52/111, would provide an opportunity to seek appropriate solutions to the new forms of racism which threatened to drive certain societies to the brink of collapse.

11. Migrant workers were particularly vulnerable and the protection of their rights required broad-based and sustained international cooperation. Morocco hoped that particular attention would be paid to the plight of migrant workers, who suffered various forms of discrimination, and intolerance in some host countries. In that regard, the adoption of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families was a milestone. Regrettably, the Convention had not yet entered into force because of the low number of ratifications. Morocco renewed its appeal to States which had not yet done so to ratify the Convention with the same level of will and enthusiasm which had inspired them to sign the instrument. Its implementation would guarantee the rights of migrant workers, who contributed to economic development in their host countries without benefiting from national safeguards which recognized their rights. It was furthermore necessary to protect migrant workers from hostile activities, including smear campaigns which singled them out as the parties responsible for the ills of the host country, particularly, unemployment, drug trafficking and lack of security.

12. **Ms. Ashour** (Libyan Arab Jamahiriya) said that the international community should do more to combat contemporary forms of racism and xenophobia, helping to counter the resurgence of neo-fascism and neo-Nazism in many countries. In certain societies, groups and organizations defended their right to disseminate racist propaganda on the basis of the right to freedom of speech and opinion. While Governments frequently failed to intervene, they did not hesitate to cite reasons of State or national security to silence other groups whose views did not serve their interests.

13. There was a growing tendency to associate Islam and its followers with terrorism. While acts of violence carried out by non-Muslims were characterized as individual acts, those carried out by Muslims or Arabs were defined per se as terrorism, in an effort to vilify all Muslims and Arabs. One fact frequently overlooked was that the very States that publicly opposed terrorism and endorsed the principles of freedom and human rights harboured and financed the perpetrators of acts of terrorism. Such double standards reflected one of the worst manifestations of racism.

14. The international community should turn its attention to the growing electoral success of racist parties and organizations, which gave considerable cause for concern. Measures should be taken at the national and international levels to combat incitement to racial conflict, through, *inter alia*, the forthcoming World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

15. Her delegation felt that African States were inadequately represented on the Committee on the Elimination of Racial Discrimination, contrary to the provisions concerning equitable geographical distribution contained in the International Convention on the Elimination of All Forms of Racial Discrimination. She appealed to States parties to consider means of remedying that situation at future sessions.

16. Turning to item 109, she noted that, despite the norms of international law, the principles enshrined in the Charter and numerous United Nations resolutions, many peoples continued to be denied the right to self-determination, because they lived under foreign occupation or were refugees. Such was the case of the Palestinian people, who had been unable to exercise their right to self-determination, to return to their country and to establish an independent State in Palestine, in accordance with United Nations resolutions.

17. As to the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, she said that that practice was particularly prevalent in Africa. The activities of mercenaries were financed and organized by organizations and companies, seeking to justify carrying out terrorist attacks,

sowing chaos and destabilizing developing countries by citing political and security imperatives. The Libyan Arab Jamahiriya called on all States to work together to outlaw such practices.

18. **Mr. Naber** (Jordan) said that his delegation wished to express its grave concern at the increase in manifestations of racism and xenophobia and the use of violence and discriminatory policies in many countries. Jordan consistently sought to combat racial discrimination through dialogue with its neighbours and through the adoption of appropriate policies, based on national legislation and international commitments. Moreover, it sought to ensure that the principles of equality and the rights of minorities should be reflected fully in the values and attitudes of Jordanian society. In that regard, Jordan had an excellent reputation for religious tolerance and harmonious interdenominational relations.

19. In the age of globalization, political, cultural and religious diversity should be protected, while efforts to "standardize" culture should be resisted. There was a need for dialogue to counter cultural conflict and to lay the foundations for harmonious coexistence.

20. Jordan wished to reiterate its commitment to working with the Committee on the Elimination of Racial Discrimination and other human rights organizations to combat racism and xenophobia. His delegation also believed that the Commission on Human Rights should play an active role in preparations for the forthcoming World Conference, in order to ensure its success.

21. Despite the sacrifices and progress made by the peoples of Africa, Asia and Latin America in asserting their right to self-determination, there was some way to go before that right had been implemented universally. For example, the Palestinian people were still unable to express their right to self-determination on their national soil. Jordan welcomed recent developments in the Middle East peace process and hoped that the agreements would be implemented effectively, securing a just resolution of the Palestinian problem that would guarantee the Palestinian people the right to self-determination, including the creation of their own independent State.

22. **Ms. Cornette** (Guyana), speaking on behalf of the 14 States members of the Caribbean Community (CARICOM), said that CARICOM was concerned by the growing incidence of racism, xenophobia, ethnic and religious "cleansing" and related intolerance that affected millions of people throughout the world. Racial discrimination, which was an affront to human dignity and to the principle of equality among peoples, should not be tolerated in any form.

23. In addition to the more obvious manifestations, developing countries practised more subtle forms of racial discrimination through immigration laws based on ethnic and regional considerations. Racism and immigration were intimately linked, since such legislation often deliberately painted immigrants in a negative light, making their status more precarious. CARICOM was convinced that social peace was predicated on respect for the dignity and rights of all, which Governments, particularly those of receiving countries, had a duty to guarantee.

24. Progress in fighting racism greatly depended on the level of commitment of Governments. They needed to do more to implement the International Convention on the Elimination of All Forms of Racial Discrimination, while States that had not yet done so should take immediate measures to ratify or accede to it.

25. CARICOM supported the convening of a World Conference against racism by the year 2001, which would help to strengthen international resolve. An early decision was needed on the date for the Conference in order to facilitate the preparatory process, which should focus on identifying priority areas for consideration. Regional meetings should also be convened early to identify issues of regional concern. CARICOM looked forward to participating in the process and hoped that the requisite financial and technical assistance would be provided. Further, the financial viability of the Commission on Human Rights should be assured, so that it could implement the preparatory activities under the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination and ensure that the Conference was successful.

26. It was regrettable that continued lack of interest, of support and of financial resources had prevented the implementation of most of the activities of the Programme of Action. Governments, intergovernmental and non-governmental organizations and individuals should contribute to the Trust Fund for the Programme of Action, while other means of financing should be explored, including from the regular budget.

27. Education played a vital role in the eradication of racism. It should be targeted at families, schools, universities and other institutions in order to help foster mutual understanding and tolerance. The media and the Internet could be effectively used for that purpose, with the latter helping to counter the increasing dissemination of racist propaganda through that same medium.

28. The international community should guarantee that peoples currently living under colonial rule or foreign occupation were afforded the right to self-determination. The

CARICOM member States supported the struggle of the Palestinian people in that regard and called for an early settlement of the Palestinian question through practical and peaceful means, as a necessary condition for lasting peace and stability in the Middle East.

29. CARICOM joined the international community in condemning the use of mercenaries as a means of violating human rights and undermining the right of peoples to self-determination. Governments should take action to prevent the use of their territory for such purposes and should expose activities when they occurred. A systematic review of the definition of a mercenary was needed, along with the elaboration of concepts which could help eliminate a practice involving terrorist attacks, drugs and arms trafficking.

30. **Mr. Afshari** (Islamic Republic of Iran) said that racism and xenophobic violence jeopardized peace and security and inflicted a terrible toll on society. The Islamic world at large and the Islamic Republic of Iran in particular were greatly concerned by increasing manifestations of discrimination and violence against Muslims. The question of "Islamophobia" should fall within the mandate of the Special Rapporteur on racism and of the Special Rapporteur on religious intolerance. Moreover, the General Assembly should devote particular attention to the resurgence of neo-fascism and neo-Nazism, as well as the continued use of the Internet for disseminating racist ideology and exacerbating ethno-nationalism.

31. As noted in the report of the Special Rapporteur on racism (A/53/269, para. 29), the abuse of new communication technologies, including the Internet for purposes of incitation to racial hatred was continuing, with over 200 sites worldwide disseminating racist propaganda. The Islamic Republic of Iran was convinced that the issue should be addressed in the appropriate forums, including the World Conference and its regional preparatory meetings. His country had participated in discussions leading to the adoption of a Commission on Human Rights resolution on that subject, and had informed the United Nations High Commissioner for Human Rights of his Government's readiness to host the Asian preparatory meeting for the World Conference in due course.

32. The members of the international community should reaffirm their commitment to the struggle against racism. Respect for human rights and the protection of the rights of persons belonging to national, ethnic, religious and linguistic minorities constituted a firm basis for peaceful coexistence, dialogue, mutual understanding and tolerance. President Khatami, in his address to the current session of the General Assembly, had suggested that the year 2001 should be designated the year of dialogue among civilizations. That proposal would contribute to eliminating racism, xenophobia and related intolerance. The Islamic Republic of Iran hoped that, with the firm determination of the international community, the next millennium would be one of peace, stability, dialogue and tolerance.

The meeting rose at 11.15 a.m.